

Item # _____

Prepared by: Gloria Kelly
Real Estate Services

Approved by: Lisa Kelly
Assistant County Attorney

RESOLUTION TO APPROVE THE TRANSFER OF ROSS ROAD PARK PROPERTY, INCLUDING 8.76 ACRES OF LAND UPON WHICH THE PARK IS SITUATED AND ALL EXISTING PARK IMPROVEMENTS, EQUIPMENT AND INVENTORY THEREON, OWNED BY SHELBY COUNTY, LOCATED AT 4890 ROSS ROAD IN MEMPHIS, TENNESSEE, TO THE BOARD OF EDUCATION OF THE MEMPHIS CITY SCHOOLS WITHOUT MONETARY CONSIDERATION. SPONSORED BY COMMISSIONER MATT KUHN.

WHEREAS, Due to budgetary constraints, Shelby County Government and the Shelby County Conservation Board, are continuing to take steps to decrease their ongoing expense of developing, operating and maintaining a county-wide park system by either transferring the ownership of all existing County owned parks, located within each municipality, to the respective municipal government for its continued development, operation, maintenance and use of the parks for public outdoor recreational purposes, or by relinquishing the Shelby County Conservation Board's use and benefit rights thereto to Shelby County Government for appropriate reuse by the County or disposal of the same by the County as surplus property; and

WHEREAS, Shelby County Government has acquired, without monetary consideration, an 8.76 acre tract of land known as Ross Road Park property, including rights to all existing park improvements, equipment and inventory thereon, from the Shelby County Conservation Board by Quit Claim Deed of record as described in the Register's Office of Shelby County, Tennessee, in the Register's Official Record Book under Instrument number _____ and Bill of Sale, which property being located on the east side of Ross Road immediately north of and adjacent to Ross Road Elementary School in Memphis, Tennessee (municipally addressed as 4890 Ross Road), and further identified as Shelby County Tax Parcel No. 09370000160; and

WHEREAS, The Board of Education of the Memphis City Schools has developed an urgent need to expand its Ross Road Elementary School to handle its existing enrollment and to prepare for projected enrollment increases; and

WHEREAS, Due to the unavailability of developable land adjoining Ross Road Elementary School, the Board of Education of the Memphis City Schools has requested Shelby County Government to transfer this 8.76 acre tract of land known as Ross Road Park property, including its rights to all existing park improvements, equipment and inventory thereon, by the attached Quit Claim Deed and Bill of Sale, which are hereby incorporated by reference, to the Board of Education of the Memphis City Schools, without monetary consideration, for educational purposes, including but not limited to the expansion of Ross Road Elementary School; and

WHEREAS, Section 2-57(b)(10)(b) of the Shelby County Code of Ordinances as amended by Ordinance Nos. 325 and 366, adopted by the Shelby County Board of Commissioners on April 9, 2007 and October 6, 2008 respectively, authorizes the transfer of such real and personal property to a local governmental entity by donation for educational purposes, provided, however, that such governmental entity is in compliance, or becomes compliant prior to acceptance of any such donation, with all antidiscrimination laws, including, but not limited to, Titles VI and VII of the Civil Rights Act of 1964; and

WHEREAS, It is deemed to be in the best interest of the citizens of Shelby County for Shelby County Government to transfer this 8.76 acre tract of land known as Ross Road Park property, including its rights to all existing park improvements, equipment and inventory thereon, to the Board of Education of the Memphis City Schools, without monetary consideration, for educational purposes, including but not limited to the expansion of Ross Road Elementary School.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the aforementioned transfer of real and personal property rights associated with Ross Road Park by the Shelby County Government to the Board of Education of the Memphis City Schools, without monetary consideration, be and the same is hereby approved.

BE IT FURTHER RESOLVED, That the County Mayor be and is authorized to execute the attached Quit Claim Deed and Bill of Sale for the intended purposes, along with any other documents necessary to effect this property transfer.

BE IT FURTHER RESOLVED, That this Resolution shall take effect from and after the date it shall have been enacted according to due process of law, the public welfare requiring it.

By: _____
A C Wharton, Jr., County Mayor

Date: _____

ATTEST:

Clerk of County Commission

ADOPTED _____

SUMMARY SHEET

I. Description of Item

Shelby County Government has acquired, without monetary consideration, an 8.76 acre tract of land known as Ross Road Park property, including rights to all existing park improvements, equipment and inventory thereon, from the Shelby County Conservation Board. Due to budgetary constraints Shelby County Government and the Shelby County Conservation Board are continuing to take steps to decrease their ongoing expense of developing, operating and maintaining a county-wide park system by either transferring the ownership of all existing County owned parks, located within each municipality, to the respective municipal government for its continued development, operation, maintenance and use of the parks for public outdoor recreational purposes, or by relinquishing the Shelby County Conservation Board's use and benefit rights thereto to Shelby County Government for appropriate reuse by the County or disposal of the same by the County as surplus property. The Board of Education of the Memphis City Schools has developed an urgent need to expand its Ross Road Elementary School to handle its existing enrollment and to prepare for projected enrollment increases. The Board of Education of the Memphis City Schools has requested Shelby County Government to transfer this 8.76 acre tract of land known as Ross Road Park property, including its rights to all existing park improvements, equipment and inventory thereon, to the Board of Education of the Memphis City Schools, without monetary consideration, for educational purposes, including but not limited to the expansion of Ross Road Elementary School. Based on the above, it is hereby recommended by the Administration that the conveyance of this surplus property be approved.

II. Source and Amount of Funding

No county funds required.

III. Contract Items

Quit Claim Deed and Bill of Sale

IV. Additional Information Relevant to Approval of this Item

N/A

Property Map
Tax Parcel No. 09370000160

